

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2019/2020

PLS0012 – LAW AND SOCIETY

(All Sections / Groups)

11 JUNE 2020

9.00 a.m. – 11.00 a.m.

(2 Hours)

INSTRUCTIONS TO STUDENT

1. This Question paper consists of three (3) pages with five (5) Questions only.
2. Answer **ALL** questions in **PART A** and **ONE (1)** question in **PART B**. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.
3. Please write all your answers in the Answer Booklet provided.

Answer ALL questions from Part A and ONE (1) question ONLY from Part B. All answers must be in essay form.

PART A (75 MARKS): ANSWER ALL THE QUESTIONS

QUESTION 1

The Kingdom of Itqan is a monarchy headed by Sultan Saleem. The Sultan is the Supreme Leader of the country who is elected by members of Shura. As an Islamic nation, its constitution has provided that the state shall vest the real sovereignty to the only God and no others in all aspects. The Kingdom consists of various tribes and races such as Bani Asad, Bani Kharraj, Bani Layth, Bani Thur and Bani Qursh. Unfortunately, there are ongoing disputes between these races as Bani Qursh firmly believes that they are the noblest race among others as most of their members are the one who actively contribute to the economy of the nation.

One day, the Kingdom is stricken by severe crisis of famine. Many people starve and the citizens start to steal food in order to survive. Imad, a member of Bani Thur is caught off red-handed while trying to steal a loaf of bread and a bottle of milk from a bakery shop owned by Salama, a member of Bani Qursh. Salama insists the government to punish Imad according to Hadd punishment.

Based on the Islamic legal philosophy and its sociological theory, discuss the possible concept to be assimilated into the social situation in the Kingdom of Itqan. Support your answer with relevant authorities from Al-Quran and Hadith.

(Total: 25 marks)

QUESTION 2

"... Today I have perfected your religious law for you, and have bestowed upon you the full measure of My blessings ..."

– Surah Al-Maidah (5):3

Islam is a complete and comprehensive religion which covers all aspects of life inclusive of the fundamental rights as a human being in this worldly life. It is crucial to take note that the principle of human rights in Islam does not confine to the Muslims only. The principles are universal in nature and should be applicable for the non-Muslims too.

Based on the statement above, compare and contrast the following principles from Islamic and Western perspective:

- | | |
|--|-----------|
| a) Rights and mutual responsibility; | (6 marks) |
| b) Women's rights; | (6 marks) |
| c) Fairness; and | (6 marks) |
| d) The right to cooperate and not to co-operate. | (7 marks) |

(Total: 25 marks)

Continued...**QUESTION 3**

Explain the application of the concept of law and morality to the following situations. Determine the legality and the morality of such conduct given the law in Malaysia and Islamic perspectives.

- a) Fikri, a Muslim man, is married to Sarimah and they are blessed with two children named Aiman, 3-years-old and Syafiq, 1-year-old. Recently, Sarimah just came to know his husband is cheating on her as she discovered that Fikri had a secret affair with a widow named Zabadah. Sarimah confronted Fikri about this case. Since Sarimah has come to know about the situation, Fikri decides to marry Zabadah and practises polygamy.

(6 marks)

- b) Abdullah Lee works as a development officer at Daya Bumi Properties Pte. Ltd., a local construction company based in Nilai, Negeri Sembilan. The company entered into an agreement with the government to build a huge stadium at Taman Semarak, Nilai, Negeri Sembilan. However, there are many poor squatters who have occupied the area since years ago. Abdullah Lee obtained the permission from the local authorities to chase away the squatters and proceed with the construction of such stadium.

(6 marks)

- c) Fazilah is born biologically as a Muslim girl in Malaysia, but now she has the urge to change her gender to become a man. Her decision to undergo the sex-reassignment surgery in Thailand is affirmed due to the special relationship she had with her female friend, Mary.

(7 marks)

- d) Nurul, a Muslim woman is 17 weeks pregnant with a child out of wedlock. Being afraid of her secret of unwanted pregnancy exposed to the public, she decided to abort the unborn child.

(6 marks)

(Total: 25 marks)

Continued...

PART B: ANSWER ANY ONE (1) QUESTION ONLY

QUESTION 4A

One of the most important functions of government is to protect civil liberties of its people. In Malaysia, they are rooted in the Federal Constitution which checks and balances the powers vested upon the government and the rights conferred to the citizens.

Explain how Malaysia, as a sovereign state protects the natural rights of its citizen by discussing **four (4)** of the fundamentals which contribute to the well-being of the society. Support your answer with examples and relevant authorities.

(Total: 25 marks)

QUESTION 4B

The definition of a Western culture refers to the phenomena of making man's logical mode of life and understanding, objective and mentally enlightening.

Based on the excerpt above, explain **five (5)** fundamentals of the Western culture that contribute to the development of law and its relation with the society. Illustrate your answer by reference to any western countries as an example.

(Total: 25 marks)

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